

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES A. SIMPSON,	:	
Plaintiff	:	
vs.	:	CIVIL NO. 1:CV-09-1882
CITY OF COATSVILLE, et al.,	:	(Judge Caldwell)
Defendants	:	(Magistrate Judge Smyser)

O R D E R

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

We are considering the Report and Recommendation of the magistrate judge recommending we transfer this case to the United States District Court for the Eastern District of Pennsylvania. Plaintiff objects to the report, arguing that he will reside in Harrisburg, Pennsylvania when he is released from the Chester County Prison. Since objections were filed, the Court must "make a *de novo* determination of those portions of the report or specified proposed finding or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(c).

We are not persuaded by the Plaintiff's argument. The magistrate judge applied the correct statutory provision governing venue for federal question cases. Even if the Plaintiff does eventually reside in Harrisburg, his claim concerns events that occurred in the Eastern District, and he has provided no basis for venue in the Middle District.

ACCORDINGLY, this 4th day of December, 2009, it is ordered that upon consideration of the report and recommendation of the magistrate judge (doc. 14), filed

October 22, 2009, to which objections were filed, and upon independent review of the record, it is ordered that:

1. The magistrate judge's report is adopted.
2. Plaintiff's objection (doc. 16) is overruled.
3. The Clerk of Court shall transfer this case to the United States District Court for the Eastern District of Pennsylvania.
4. The Clerk of Court shall close this file.

/s/William W. Caldwell
William W. Caldwell
United States District Judge